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APPLICATION NO.	ICATION NO. FILING DATE		FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/555,662	09/555,662 08/25/2000		Hartmut Hillmer	2345/117	9226
26646	7590 08/08/2005			EXAMINER	
KENYON & KENYON				NGUYEN, DUNG T	
ONE BROADWAY NEW YORK, NY 10004			ART UNIT	PAPER NUMBER	
				2828	
			DATE MAILED: 08/08/2005		

Please find below and/or attached an Office communication concerning this application or proceeding.

### Application No. Applicant(s) SUPPLEMENTAL 09/555,662 HILLMER ET AL. Notice of Allowability Examiner Art Unit Dung (Michael) T. Nguyen 2828 -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308. 1. This communication is responsive to <u>01/12/05</u>. 2. The allowed claim(s) is/are 18-36. 3. The drawings filed on <u>25 August 2000</u> are accepted by the Examiner. 4. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) 🛛 All b) Some\* c) None of the: 1. X Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)). \* Certified copies not received: \_\_\_\_\_. Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. THIS THREE-MONTH PERIOD IS NOT EXTENDABLE. 5. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient. 6. CORRECTED DRAWINGS (as "replacement sheets") must be submitted. (a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached 1) hereto or 2) to Paper No./Mail Date (b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d). 7. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL. Attachment(s) 1. Notice of References Cited (PTO-892) 5. Notice of Informal Patent Application (PTO-152) 2. Notice of Draftperson's Patent Drawing Review (PTO-948) 6. Interview Summary (PTO-413), Paper No./Mail Date 7/6/05. 3. Information Disclosure Statements (PTO-1449 or PTO/SB/08). 7. Examiner's Amendment/Comment Paper No./Mail Date 4. Examiner's Comment Regarding Requirement for Deposit 8. X Examiner's Statement of Reasons for Allowance 9. Other \_ of Biological Material

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#### **DETAILED ACTION**

### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Linda Shudy on 07/06/05.

The application has been amended as follows:

- Claim 36, first line: changed "in claim 36" to – in claim 28 --:

# Allowable Subject Matter

Claims 18-36 are allowed.

The following is an examiner's statement of reasons for allowance:

Claims 18 and 28 have been allowed over the Ishimura (US5341391) and Millard (US5325229) prior art because they fail to teach, taken singly or combined, an optoelectronic component array having at least two optoelectronic components, a respective at least one resistance heater associated with each of the at least two optoelectronic components for setting a respective characteristic

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wavelength, and the wavelength tuning being effected by changing the respective total resistance of the respective resistor arrangement.

Claims 19-27 and 29-36 have been found allowable due to their dependency on claims 18 and 28.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

#### **Communication Information**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dung (Michael) T Nguyen whose telephone number is (571) 272-1949. The examiner can normally be reached on 9:00 - 19:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Min Harvey can be reached on (571) 272-1835. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 306-5511 for regular communications and (703) 306-5511 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-3329.

Nguyen (Michael) Dung

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